25th January 1949]

APPENDIX V.

[Vide item VIII at page 908 supra.]

A Bill to amend the Madras Essential Articles Control and Requisitioning (Temporary Powers) Act, 1946.

(As passed by the Assembly.)

WHEREAS it is expedient to amend the Madras Essential Articles Control and Requisitioning (Temporary Powers) Act, 1946, for the purposes hereinafter appearing; It is hereby enacted as follows :— *Madras Act XIV of 1946.*

Short title. 1. This act may be called the Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Act, 1949.

Amendment of section 9, Madras Act XIV of 1946. 2. (1) The section 9, sub-section (1) of the Madras Essential Articles Control and Requisitioning (Temporary Powers) Act, 1946 (hereinafter referred to as the said Act), the following Explanation shall be added, namely :— *Madras Act XIV of 1946.*

" *Explanation.*—In this sub-section, 'Official Gazette' means, and shall be deemed always to have meant, the *Gazette of India*, the *Fort St. George Gazette*, or any District Gazette published in the Province of Madras."

(2) The amendment made by sub-section (1) shall be deemed to have taken effect from the commencement of the said Act.

Amendment of Schedule to Madras Act XIV of 1946. 3 In the schedule to the said Act, the entry " (4) Eggs " shall be omitted.

APPENDIX VI.

[Vide item IX at page 909 supra.]

A Bill further to amend the Madras Agriculturists' Relief Act, 1938.

(As passed by the Assembly)

WHEREAS it is expedient further to amend the Madras Agriculturists Relief Act, 1938, for the purpose hereinafter appearing ; It is hereby enacted as follows :— *Madras Act IV of 1938.*

Short title. 1. This Act may be called the Madras Agriculturists Relief (Amendment) Act, 1949.

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Insertion of new section 17-A in Madras Act IV of 1938.

2. After section 17 of the Madras Agriculturists' Relief Act, 1938, the following section shall be inserted, namely :— Madras Act IV of 1938.

Scaling down of interest on arrears of rent.

" 17-A. In any suit or proceeding before a civil or revenue court involving a claim for arrears of rent payable by an agriculturist, including a claim to set off such arrears, whatever be the period to which the arrears relate, the Court shall scale down all interest, if any, due on such arrears so as not to exceed a sum calculated at $5\frac{1}{2}$ per cent per annum simple interest, notwithstanding anything to the contrary contained in any contract or custom :

Provided that the Provincial Government may, by notification in the Official Gazette, alter and fix any other rate of interest from time to time.

Explanation.—For the purposes of this section, the definition of 'agriculturist' in section 3 (ii) shall be read as if—

(i) in proviso (A) to that section, for the expression 'financial years ending 31st March 1938,' the expression 'financial years ending on the 31st March immediately preceding the date of institution of the suit or proceeding' were substituted ; and

(ii) in provisos (B) and (C) to that section, for the words and figures 'immediately preceding the 1st October 1937', the words and figures 'ending on the 31st March or the 30th September (whichever is later) immediately preceding the date of institution of the suit or proceeding' were substituted."

Amendment made by section 2 to have retrospective effect.

3. The amendment made by this Act shall apply to

(i) all suits and proceedings instituted after the commencement of this Act ;

(ii) all suits and proceedings instituted before the commencement of this Act, in which no decree or order has been passed, or in which the decree or order passed has not become final, before such commencement ; and

(iii) all suits and proceedings in which the decree or order passed has not been executed or satisfied in full before the commencement of this Act :

Provided that no creditor shall be required to refund any sum which has been paid to or realized by him, before the commencement of this Act.